

IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF SOUTH CAROLINA

2005 APR 14 A 11:18

COLUMBIA DIVISION

US
DISTRICT COURT

DIRECTV, Inc.,

Plaintiff,

v.

Eric Caulder and Timothy Weathersby,

Defendants.

Supplemental Report and Recommendation

C.A. No.: 3:04-2155-18

This matter is before the undersigned United States Magistrate Judge in accord with 28 U.S.C. § 636 and the local rules of this court for consideration of the plaintiff's request for damages. *This Report and Recommendation supplements the Report and Recommendation filed January 13, 2005 (Docket # 11)*

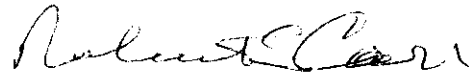
On September 21, 2004, based upon an affidavit of default submitted by the plaintiff, the Clerk of Court entered default as to defendant Eric Caulder. On April 13, 2005, a hearing was held to determine the amount of damages, if any, to which the plaintiff is entitled. The defendant was given notice of the hearing, and failed to appear.

In support of its claims for damages the plaintiff presented by way of affidavit claims of \$655.25 in attorneys' fees, \$165.00 in costs, and \$10,000 in statutory damages in accord with 47 U.S.C. § 605 and 18 U.S.C. § 2511. Also the plaintiff submitted its claim for a permanent injunction against the defendant Eric Caulder prohibiting the defendant from committing or assisting in the commission of any violation of the Cable Communications Policy Act of 1934, as amended, 47 U.S.C. § 605 and 18 U.S.C. § 2511. The Plaintiff's claim was unopposed.

Accordingly, it is recommended that pursuant to Rule 54(b) of the Federal Rules of Civil Procedure this court enter its order finding the defendant Eric Caulder in default, awarding the

plaintiff judgment in the amount of \$10,820.25 and permanently enjoining the defendant from committing or assisting in the commission of any violation of 18 U.S.C. § 2511 and § 2520.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Robert S. Carr", written over a horizontal line.

Robert S. Carr
United States Magistrate Judge

Charleston, South Carolina

April 13, 2005